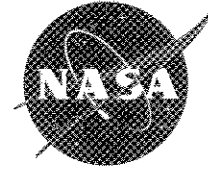


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



March 2, 2010

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the
53rd Goddard Memorial Dinner on March 12, 2010

On March 12, 2010, the National Space Club (NSC), a non-profit organization under 501(c)(3), will hold its 53rd Dr. Robert H. Goddard Memorial Dinner at the Hilton Washington Hotel in Washington, D.C. The NSC is devoted to fostering excellence in space activity through interaction between industry and government, and through a continuing program of educational support. The annual event is held each year near the anniversary of the first successful flight by Dr. Goddard of a liquid-fueled rocket. General James E. Cartwright, Vice Chairman of the Joint Chiefs of Staff, will be the keynote speaker. In addition, the Goddard Trophy will be awarded to an individual for great achievement in advancing space flight programs.

The event will be a widely attended gathering of approximately 2,200 persons, many of whom are involved in NASA projects, and with whom NASA personnel will be involved in the future. The event will be attended by senior leaders of the aerospace industry, trade associations, congressional staffs, the media, academia and Federal personnel. The estimated cost of the event, which includes all food and beverages, is \$300.00 per person. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).


I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs and operations. The dinner will give NASA employees the opportunity to discuss U.S. space policy, and a variety of other issues related to NASA and its programs, with other attendees. Accordingly, NASA employees whose duties do not substantially affect the NSC or a majority of its members, including Presidentially Appointed, Senate-Confirmed personnel and other employees subject to the Ethics Pledge, may accept an invitation for free attendance to the NSC dinner and reception for themselves and their invited guests.

However, NASA employees whose duties may substantially affect the NSC or a majority of its members, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor.

It is noted that the event is a fundraiser for the NSC Scientific and Educational Foundation. The NSC plans to donate any revenues raised at this event to the Foundation's activities. NASA personnel are reminded not to actively participate in any fundraising activities.

Corporate Hospitality Suites. This determination does not include the eight (8) or so receptions hosted by corporate sponsors in hospitality suites.¹ The NSC has indicated that these are coordinated as a matter of courtesy, but they are not otherwise a part of the Goddard Memorial reception and dinner. NASA personnel should observe the exception to the gift rules that allows acceptance of gifts (including free refreshments and tangible gifts) with an aggregate value of \$20 or less per event from a single source, not to exceed \$50 per year from that source. Gifts to an employee's spouse or guest are treated as gifts to the employee for purposes of these gift limitations. NASA employees invited to and desiring to attend these associated corporate receptions may accept free refreshments if the fair market value of the food and drink consumed is less than \$20. If \$20 or more is consumed, the employee should personally provide that amount to the corporate host as reimbursement.

Moreover, while Presidentially Appointed, Senate-Confirmed personnel and other employees subject to the Ethics Pledge may accept free attendance at the NSC's reception and dinner, they must reimburse the corporate sponsors at any hospitality suite for the fair market value of any refreshments they consume.²


for Adam F. Greenstone

¹ According to the National Space Club, the corporate reception sponsors at the hospitality suites are: Raytheon, ATK, Northrop Grumman, Lockheed Martin, Boeing, ITT, Ball Aerospace, and Honeywell.

² The money may be placed in an "honor basket" if one is present.